

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE

CIVIL ACTION NO. 3:14-CV-62-H

CHEORKEENIA LANHAM

PLAINTIFF

v.

CAROLYN W. COLVIN, COMMISSIONER
OF SOCIAL SECURITY

DEFENDANT

MEMORANDUM OPINION AND ORDER

Plaintiff filed a complaint pursuant to 42 U.S.C. § 405(g) for judicial review of the final decision of the Commissioner of Social Security that denied her application for disability insurance benefits. After the Commissioner denied Plaintiff's claim on initial consideration and reconsideration, she requested a hearing before an administrative law judge, who also denied her request. Thereafter, this matter was referred to the Magistrate Judge for a report and recommendation.

The Magistrate Judge has conducted a very thorough report and recommendation which ultimately concluded to affirm the decision of the administrative law judge denying benefits. Plaintiff has filed an objection, primarily arguing that more consideration should be given to the severe and limiting effects of her sleep apnea. This Court has reviewed the Magistrate Judge's report and it appears as though he properly considered evidence of sleep apnea. The Court can find no basis for overturning the Magistrate Judge's decision.

Being otherwise sufficiently advised,

IT IS HEREBY ORDERED that the Court adopts the Findings of Fact, Conclusions of Law and Recommendation of the Magistrate Judge and the decision of the Commissioner denying benefits is AFFIRMED.

IT IS FURTHER ORDERED that this case is DISMISSED WITH PREJUDICE.

This is a final and appealable order.

cc: Counsel of Record
Magistrate Judge Dave Whalin